

APPLEWOOD

APPLEWOOD VILLAGE DISPUTE PROCEDURE

1. Purpose

To ensure that village disputes between residents, or between residents and village management, are handled openly and resolved effectively, in compliance with *the Retirement Villages Act 1986* (“**the Act**”) and the *Retirement Villages Regulations 2026* (“**the Regulations**”).

2. Scope

This procedure applies to the handling of all village disputes at Applewood Retirement Village.

This policy constitutes the village dispute procedure required under the Act.

3. Definitions

- **Village dispute** means either a management dispute or a resident dispute.
- **Management dispute** means a dispute between a resident and the operator about the operation or management of the village, the provision of services to the residents, or any matter that affects residents’ use and enjoyment of the village.
- **Resident dispute** means a dispute between residents at the village about any action or failure to act by residents that affects the use and enjoyment of the village by other residents or the use of services by other residents.
- **Primary contact person** means the first point of contact for dispute notices.
- **Alternative contact person** means the alternate point of contact for dispute notices.

4. Contact Persons for Dispute Notices

The following persons are the contact persons for giving a notice of disputes.

- **Primary contact person:** Erin Geraghty, Assistant Village Manager. Email: egeraghty@applewood.com.au. Address: 5 Grand Boulevard, Doncaster, Victoria, 3108. Phone: 03 8848 1116.
- **Alternative contact person:** John Smrk, Village Manager. Email: jsmrk@applewood.com.au. Address: 5 Grand Boulevard, Doncaster, Victoria, 3108. Phone: 03 8848 1102.

5. How to Give Notice of a Village Dispute

5.1 Who to give the notice to:

A resident involved in a village dispute may give notice of the dispute:

- to the primary contact person; or
- to the alternative contact person, if the dispute involves the primary contact person, or if the primary contact person is not available or empowered to deal with the dispute.

If the primary contact person considers that they are not empowered to deal with a particular dispute (for example, because the dispute concerns the primary contact person's own conduct or decisions or because the subject matter requires a decision at a level of authority above the primary

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contact person), the primary contact person will refer the dispute to the alternative contact person and notify the resident of the referral.

Any notice of a village dispute given to the primary contact person or the alternative contact person will be accepted and recorded in accordance with this procedure, regardless of which contact person the resident approaches.

5.2 How to give the notice:

Notice may be given in any of the following ways:

- verbally, by describing the dispute to the primary / alternate contact person; or
- in writing, by post, email or in person.

A resident may use the Village Dispute Lodgement Form published on the village resident portal or available in the library to give that notice, but this is optional.

A resident may be represented by another person when dealing with a village dispute.

6. Internal Dispute Resolution Process

6.1 On receipt of notice

The contact person who receives notice must, as soon as practicable, create and maintain a written record of the dispute in accordance with the Regulations and give a copy of the record to the resident who gave notice (unless the contact person reasonably believes the dispute has been settled to the satisfaction of the resident who gave notice).

6.2 Handling the dispute

- The contact person will listen to the dispute and establish the resident's desired outcome.
- The contact person will gather relevant information from the resident, making notes in the dispute file.
- The contact person will not take any action in response to the dispute without the consent of a resident who is a party to the dispute.
- Where the dispute involves another resident, that resident will be advised of the nature of the dispute (with the notifying resident's consent) and given an opportunity to respond.
- With the consent of the parties, the contact person will attempt to facilitate resolution by discussion, mediation, or other means considered appropriate.
- The contact person will keep the parties informed of progress.
- If the contact person is unable to resolve the dispute, it may be escalated to the Chief Operating Officer for further attempts at resolution who can be contacted by email at: rbrown@tigcorp.com.au, or by post at: Tigcorp Pty Ltd, Level 14, 644 Chapel Street, South Yarra, Victoria, 3141.

6.3 Disputes not resolved within 72 hours

If a village dispute is not resolved to the satisfaction of the resident(s) who are parties to the dispute within 72 hours of notice being given, village management must create and maintain a written record of the dispute in accordance with the Regulations.

6.4 Resolution or non-resolution notification

The contact person must notify the resident who gave notice as soon as practicable if the contact person considers the dispute is resolved or cannot be resolved.

- **If resolved:** the notice must set out the details of the resolution.
- **If not resolved:** the notice must set out the reasons why contact person considers the dispute cannot be resolved and inform the resident that they may:
 - contact Consumer Affairs Victoria for assistance;
 - apply for conciliation of the dispute under the Act (see section 7 below); or
 - seek independent legal advice.

A copy of any resolution or non-resolution notice must be maintained in the dispute record.

7. External Dispute Resolution

7.1 Consumer Affairs Victoria

A resident may contact Consumer Affairs Victoria for assistance with a village dispute as follows:

GPO Box 123, Melbourne VIC 3001

Telephone: 1300 558 181

7.2 Conciliation under Part 6E of the Act

If a village dispute cannot be resolved internally, a resident may apply for conciliation of the dispute under the Act.

Before applying for conciliation, the resident must have given notice of the dispute and 72 hours must have elapsed since that notice was given, unless the dispute is of such a nature that the safety or health of a person is at risk if the dispute is not dealt with urgently.

8. Records

All dispute records must be created and maintained in accordance with the *Village Record Keeping Procedure*.

A report on village disputes will be prepared on an annual basis for the annual meeting of residents, which will include the number and nature of disputes, outcomes, and any action taken. The report will not identify the parties to any dispute.

9. Publication and Access

This village dispute procedure is published on the village website, the resident portal and available in the library.

A copy of this dispute procedure can be requested by any resident and it will be provided within 2 business days of the request.